



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE

REQUEST FOR PROPOSALS (RFP)

RFP NO. S22-31456

NOTE:

Revision to the RFP. In the event it becomes necessary to revise any part of this RFP, amendments will be posted on Washington's Electronic Bid System (WEBS) at <https://fortress.wa.gov/ga/webs/> and the Commerce website at [Contracting with Commerce - Washington Department of Commerce](#). For this purpose, the published questions and answers and any other pertinent information shall be provided as an addendum to the RFP and will be placed on these websites. Interested applicants are responsible for checking the website(s) for any amendments prior to submitting an application. COMMERCE reserves the right to cancel or to reissue the RFP in whole or in part, prior to execution of a contract.

Questions. Questions about this RFP must be submitted to the RFP Coordinator via email between October 1, 2021 and October 14, 2021 at 5:00 p.m. PST. COMMERCE will post answers on the Commerce website at [Contracting with Commerce - Washington Department of Commerce](#) on Fridays with a final Q&A document to be posted no later than October 15, 2021 at 5:00 p.m. PST. For this purpose, the published questions and answers shall be provided as an addendum to the RFP.

PROJECT TITLE: Community-Law Enforcement Partnership

LETTER OF INTENT DUE: October 18, 2021 at 5:00 p.m. PST

PROPOSAL DUE: October 29, 2021 at 5:00 p.m. PST

ESTIMATED TIME PERIOD FOR CONTRACT: 12/01/2021–6/30/2023

APPLICANT ELIGIBILITY: This procurement is open to those applicants that satisfy the minimum qualifications stated herein and that are available for work in Washington State.



CONTENTS OF THE REQUEST FOR PROPOSALS:

1. Introduction
2. General Information for Applicants
3. Proposal Contents
4. Evaluation and Award
5. Exhibits
 - A. Certifications and Assurances
 - B. Diverse Business Inclusion Plan
 - C. Workers' Rights Certification
 - D. Service Contract with General Terms and Conditions

TABLE OF CONTENTS

1. Introduction	4
1.1 Purpose and Background.....	4
1.2 Objective and Scope of Work.....	4
1.3 Minimum Qualifications	5
1.4 Funding	6
1.5 Period of Performance	6
1.6 Current or Former State Employees.....	6
1.7 Definitions.....	6
1.8 ADA	6
2. General Information for Applicants	7
2.1 RFP Coordinator	7
2.2 Estimated Schedule of Procurement Activities	7
2.3 Questions and Answers.....	8
2.4 Letter of Intent Required	8
2.5 Submission of Proposals	8
2.6 Proprietary Information/Public Disclosure.....	8
2.7 Revisions to the RFP	9
2.8 Diverse Business Inclusion Plan	9
2.9 Acceptance Period	10
2.10 Complaint	10
2.11 Responsiveness.....	10
2.12 Most Favorable Terms	10
2.13 Contract and General Terms & Conditions	10
2.14 Costs to Propose	11
2.15 No Obligation to Contract.....	11
2.16 Rejection of Proposals	11
2.17 Commitment of Funds.....	11
2.18 Electronic Payment.....	11
2.19 Insurance Coverage.....	11
3. Proposal Contents	12
3.1 Letter of Submittal	12
3.2 Technical Proposal.....	13
3.3 Management Proposal	13
3.4 Cost Proposal.....	15
4. Evaluation and Contract Award	16
4.1 Evaluation Procedure	16
4.2 Evaluation Weighting and Scoring	16
4.3 Oral Presentations	16
4.4 Notification to Proposers	17
4.5 Debriefing of Unsuccessful Proposers	17
4.6 Protest Procedure	17
5. RFP Exhibits	19
Exhibit A Certifications and Assurances	
Exhibit B Diverse Business Inclusion Plan	
Exhibit C Workers' Rights Certification	
Exhibit D Service Contract Format including General Terms and Conditions	

1. INTRODUCTION

1.1. PURPOSE AND BACKGROUND

Pursuant to [RCW 43.330.545](#), the Washington Department of Commerce hereafter called "COMMERCE," is initiating this Request for Proposals (RFP) to solicit proposals for participation in a project to facilitate crime prevention efforts in communities across the state through neighborhood organizing, law enforcement-community partnerships, youth mobilization, and business engagement.

COMMERCE intends to award 12 to 15 contracts to provide the services described in this RFP including but not limited to projects serving communities in the following counties: Benton-Franklin, Chelan-Douglas, Clark, Cowlitz, Grant, King, Okanogan, Pierce, Snohomish, Spokane, Walla Walla, and Yakima.

1.2. OBJECTIVES AND SCOPE OF WORK

Proposals will be considered that include plans to:

- Lead and facilitate neighborhood organizing initiatives, including:
 - Empowering community members with tools, skills, confidence, and connections to identify, eradicate, and prevent illegal activity
 - Making neighborhood improvements to deter future criminal activity
 - Educating community members regarding how to connect with city, county, and law enforcement resources
- Build substantive law enforcement-community partnerships, including:
 - Building trust between community members and law enforcement by facilitating purposeful antiracist practices and the development of policies that lead to equal treatment under the law
 - Establishing clear expectations for law enforcement to be competent to practice fair and equitable treatment including facilitating dialogue between law enforcement and community members to increase understanding of the impact of historical racist practices and current conflicts
 - Community members regularly informing law enforcement, through presentations, workshops, or forums, on community perceptions or law enforcement and public safety issues
 - Educating community members on the role and function of law enforcement in the community
 - Clarifying expectations of law enforcement and of the role of the community in crime prevention
 - Educating community members on the best practices for reporting emergency and nonemergency activities
 - Clarifying expectations of law enforcement and of the role of the community in crime prevention
 - Educating community members on the best practices for reporting emergency and nonemergency activities
 - Recognizing community members for effective engagement and community leadership
 - Recognizing law enforcement officials for efforts to engage underrepresented communities, improve community engagement and empowerment, and reform law enforcement practices
- Mobilize youth to partner with neighborhood groups and law enforcement to prevent violence by:
 - Helping them develop knowledge and skills to serve as leaders in their communities
 - Focusing on prevention of violence and substance abuse

- Empowering youth to bring their voice to community issues that impact healthy police-community relations
- Engage businesses to help prevent crimes, such as vandalism and burglaries, through safety training and other prevention initiatives
- Provide training and technical assistance on how to implement community engagement, improving law enforcement and community partnership, youth engagement, and business engagement

Proposals that include a plan to provide all or multiple aspects of these types of services and supports are strongly encouraged.

1.3 MINIMUM QUALIFICATIONS

Minimum qualifications for an Applicant include:

- Be a public agency or nongovernmental community based organization. A law enforcement agency applying for a grant award will not be an eligible applicant unless there are no other eligible applicants from the community or county the law enforcement agency serves.
- Have a primary service area within one or more communities in Washington State.
- Licensed to do business in the State of Washington or submit a statement of commitment that it will become licensed in Washington within thirty (30) calendar days of being selected as an Apparently Successful Contractor.
- Have demonstrated experience with community engagement initiatives that impact public safety and be engaged in the community.
- Have established or be willing to establish a coordinated effort with committed partners, which must include law enforcement and organizations committed to diversity, equity, and inclusion of community members, including organizations whose leadership specifically reflects the communities most impacted by racism.
- Have established priorities, policies, and measurable goals consistent with the objectives and scope of work described in section 1.2.

Nonprofit organizations must verify their nonprofit status by providing a copy of their Internal Revenue Service (IRS) 501(c)(3) determination letter.

1.4 FUNDING

COMMERCE has budgeted an amount not to exceed \$2,375,000 for this project for the 2022 and 2023 state fiscal years. Proposals less than \$50,000 or in excess of \$200,000 will be considered non-responsive and will not be evaluated.

Any contract awarded as a result of this procurement is contingent upon the availability of funding.

1.5 PERIOD OF PERFORMANCE

The period of performance of any contract resulting from this RFP is tentatively scheduled to begin on or about 12/01/2021 and to end on 6/30/2023.

1.6 CONTRACTING WITH CURRENT OR FORMER STATE EMPLOYEES

Specific restrictions apply to contracting with current or former state employees pursuant to chapter 42.52 of the Revised Code of Washington. Applicants should familiarize themselves with the requirements prior to submitting a proposal that includes current or former state employees.

1.7 DEFINITIONS

Definitions for the purposes of this RFP include:

Apparent Successful Contractor: The Applicant selected as an entity to perform the anticipated services, subject to completion of contract negotiations and execution of a written contract.

Applicant: Agency or organization interested in the RFP and that may or does submit a proposal in order to attain a contract with COMMERCE.

Contractor: Agency or organization whose proposal has been accepted by COMMERCE and is awarded a fully executed, written contract.

COMMERCE or AGENCY: The Department of Commerce is the agency of the state of Washington that is issuing this RFP.

Proposal: A formal offer submitted in response to this solicitation.

Proposer: Agency or organization that submits a proposal in order to attain a contract with COMMERCE.

Request for Proposals (RFP): Formal procurement document in which a service or need is identified but no specific method to achieve it has been chosen. The purpose of an RFP is to permit the Applicant community to suggest various approaches to meet the need at a given price.

1.8 ADA

COMMERCE complies with the Americans with Disabilities Act (ADA). Applicants may contact the RFP Coordinator to receive this Request for Proposals in Braille or on tape.

2. GENERAL INFORMATION FOR APPLICANTS

2.1. RFP COORDINATOR

The RFP Coordinator is the sole point of contact in COMMERCE for this procurement. All communication between the Applicant and COMMERCE upon release of this RFP shall be with the RFP Coordinator, as follows:

Name	Abigail Snyder
Email Address	Abigail.snyder@commerce.wa.gov

Any other communication will be considered unofficial and non-binding on COMMERCE. Applicants are to rely on written statements issued by the RFP Coordinator. *Communication directed to parties other than the RFP Coordinator may result in disqualification of the Applicant.*

2.2. ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

Issue Request for Proposals	10/1/2021
Question & answer period	10/1/2021-10/14/2021
Answers to Q&A posted no later than	10/15/2021
Letters of Intent due	10/18/2021
Proposals due	10/29/2021
Evaluate proposals	11/1/2021-11/15/2021
Announce "Apparent Successful Contractor" and send email notification to unsuccessful proposers	11/16/2021
Hold debriefing conferences (if requested)	11/17/2021-11/19/2021
Negotiate contracts	11/19/2021-11/29/2021
Begin contract work	12/01/2021

COMMERCE reserves the right to revise the above schedule.

2.3 QUESTIONS and ANSWERS

Questions about this RFP must be submitted to the RFP Coordinator via email between the dates specified in Section 2.2. COMMERCE will post answers on the Commerce website at [Contracting with Commerce - Washington Department of Commerce](#) on Fridays with a final Q&A document to be posted no later than October 15, 2021 at 5:00 p.m. PST. For this purpose, the published questions and answers shall be provided as an addendum to the RFP. Questions will be answered in written form.

2.4 LETTER OF INTENT REQUIRED

A bidder's Letter of Intent must be received by the RFP Coordinator no later than 5:00 p.m. PST on the date specified in Section 2.2. **Proposals received from Applicants who did not timely submit a Letter of Intent will be disqualified** unless there are no other eligible Applicant serving a community or communities in the county(s) specified in the proposal. Applicants who submit a Letter of Intent are not bound by it and may choose not to submit a proposal without penalty. Letters of Intent should be on organization letterhead and include the RFP number, a statement of intent to submit a proposal to this RFP, identify the organization's contact person, and the county(s) to be served.

2.5 SUBMISSION OF PROPOSALS

Proposals must be **received by the RFP Coordinator** no later than 5:00 p.m. PST, on the date specified in Section 2.2.

Proposals must be submitted electronically as an attachment to an email message to the RFP Coordinator, at the email address listed in Section 2.1. Attachments to emails shall be in Microsoft Word format or PDF. Zipped files cannot be received by COMMERCE and cannot be used for submission of proposals. The cover submittal letter and the Certifications and Assurances form must have a scanned or electronic signature of the individual within the organization authorized to bind the Applicant to the offer. COMMERCE does not assume responsibility for problems with Applicant's email. If COMMERCE email is not working, appropriate allowances will be made.

Proposals may not be transmitted using facsimile transmission or hardcopy. Proposals must be submitted by email.

Applicants should allow sufficient time to ensure timely receipt of the proposal by the RFP Coordinator. **Late proposals will not be accepted and will be automatically disqualified from further consideration**, unless COMMERCE email is found to be at fault at COMMERCE'S sole determination. Requests for deadline extensions will not be granted. All proposals and any accompanying documentation become the property of COMMERCE and will not be returned.

2.6 PROPRIETARY INFORMATION AND PUBLIC DISCLOSURE

Proposals submitted in response to this RFP shall become the property of COMMERCE. All proposals received shall remain confidential until the Apparent Successful Contractor is announced; thereafter, the proposals shall be deemed public records as defined in Chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the proposal that the Applicant desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.56 RCW, or other state or federal law that provides for the nondisclosure of your document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the Applicant is making the claim must be cited. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words "Proprietary Information" printed on the lower right hand corner of the page. Marking the entire proposal exempt from disclosure or as Proprietary Information will not be honored.

If a public records request is made for the information that the Applicant has marked as "Proprietary Information," COMMERCE will notify the Applicant of the request and of the date that the records will be released to the requester unless the Applicant obtains a court order enjoining that disclosure. If the

Applicant fails to obtain the court order enjoining disclosure, COMMERCE will release the requested information on the date specified. If an Applicant obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to Chapter 42.56 RCW, or other state or federal law that provides for nondisclosure, COMMERCE shall maintain the confidentiality of the Applicant's information per the court order.

A charge will be made for copying and shipping, as outlined in RCW 42.56. No fee shall be charged for inspection of contract files, but twenty-four (24) hours' notice to the RFP Coordinator is required. All requests for information should be directed to the RFP Coordinator.

2.7 REVISIONS TO THE RFP

In the event it becomes necessary to revise any part of this RFP, addenda will be published on Washington's Electronic Bid System (WEBS) located at <https://fortress.wa.gov/ga/webs/> and on the Commerce website at [Contracting with Commerce - Washington Department of Commerce](#). For this purpose, the published Question and Answer document(s) and any other pertinent information shall be provided as an addendum to the RFP.

COMMERCE also reserves the right to cancel or to reissue the RFP in whole or in part, prior to execution of a contract.

2.8 DIVERSE BUSINESS INCLUSION PLAN

Applicants will be required to submit a Diverse Business Inclusion Plan with their proposal. In accordance with legislative findings and policies set forth in RCW 39.19, the state of Washington encourages participation in all contracts by firms certified by the office of Minority and Women's Business Enterprises (OMWBE), set forth in RCW 43.60A.200 for firms certified by the Washington State Department of Veterans Affairs, and set forth in RCW 39.26.005 for firms that are Washington Small Businesses. Participation may be either on a direct basis or on a subcontractor basis. However, no preference on the basis of participation is included in the evaluation of Diverse Business Inclusion Plans submitted, and no minimum level of minority- and women-owned business enterprise (MWBE), Washington Small Business, or Washington State certified Veteran Business participation is required as a condition for receiving an award. Any affirmative action requirements set forth in any federal governmental rules included or referenced in the contract documents will apply.

COMMERCE has the following agency goals:

- 10% participation by Minority Owned Business
- 6% participation by Women Owned Business
- 5% participation by Veteran Owned Business
- 5% participation by Small Businesses

2.9 ACCEPTANCE PERIOD

Proposals must provide 60 days for acceptance by COMMERCE from the due date for receipt of proposals.

2.10 COMPLAINT PROCESS

Complaints may be submitted to COMMERCE based on any of following:

- a) The solicitation unnecessarily restricts competition;
- b) The solicitation evaluation or scoring process is unfair; or
- c) The solicitation requirements are inadequate or insufficient to prepare a response.

A complaint may be submitted to COMMERCE at any time prior to five days before the date proposals are due under Section 2.2. The complaint must meet the following requirements:

- a) The complaint must be in writing;
- b) The complaint must be sent to the RFP Coordinator in a timely manner;
- c) The complaint should clearly articulate the basis for the complaint; and
- d) The complaint should include a proposed remedy.

The RFP Coordinator will respond to the complaint in writing. The response to the complaint and any changes to the solicitation will be posted on Washington's Electronic Bid System (WEBS) at <https://fortress.wa.gov/ga/webs/> and the Commerce website at [Contracting with Commerce - Washington Department of Commerce](#). The Director of COMMERCE will be notified of all complaints and will be provided a copy of COMMERCE'S response. The complaint may not be raised again during the protest period. COMMERCE'S action or inaction in response to the complaint will be final. There will be no appeal process.

2.11 RESPONSIVENESS

All proposals will be reviewed by the RFP Coordinator to determine compliance with administrative requirements and instructions specified in this RFP. The Applicant is specifically notified that failure to comply with any part of the RFP may result in rejection of the proposal as non-responsive.

COMMERCE also reserves the right at its sole discretion to waive minor administrative irregularities.

2.12 MOST FAVORABLE TERMS

COMMERCE reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms which the Applicant can propose. There will be no best and final offer procedure. COMMERCE reserves the right to contact an Applicant for clarification of its proposal.

The Apparent Successful Contractor should be prepared to accept this RFP for incorporation into a contract resulting from this RFP. Contract negotiations may incorporate some, or all, of the Applicant's proposal. It is understood that the proposal will become a part of the official file on this matter without obligation to COMMERCE.

2.13 CONTRACT GENERAL TERMS & CONDITIONS

The Apparent Successful Contractor will be expected to enter into a contract which is substantially the same as the sample contract and its general terms and conditions attached as Exhibit D. In no event is an Applicant to submit its own standard contract terms and conditions in response to this solicitation. The Applicant may submit exceptions as allowed in the Certifications and Assurances form, Exhibit A to this solicitation. All exceptions to the contract terms and conditions must be submitted as an attachment to Exhibit A, Certifications and Assurances form. COMMERCE will review requested exceptions and accept or reject the same at its sole discretion.

2.14 COSTS TO PROPOSE

COMMERCE will not be liable for any costs incurred by the Applicant in preparation of a proposal submitted in response to this RFP, travel to or conduct of a presentation, or any other activities related to responding to this RFP.

2.15 NO OBLIGATION TO CONTRACT

This RFP does not obligate the state of Washington or COMMERCE to contract for services specified herein.

2.16 REJECTION OF PROPOSALS

COMMERCE reserves the right at its sole discretion to reject any or all proposals received without penalty and not to issue a contract as a result of this RFP.

2.17 COMMITMENT OF FUNDS

The Director of COMMERCE or delegate is the only individual who may legally commit COMMERCE to the expenditures of funds for a contract resulting from this RFP. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

2.18 ELECTRONIC PAYMENT

The state of Washington prefers to utilize electronic payment in its transactions. The successful contractor will be provided a form to complete with the contract to authorize such payment method.

2.19 INSURANCE COVERAGE

The Contractor is to furnish COMMERCE with a certificate(s) of insurance executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth within the contract.

The Contractor shall, at its own expense, obtain and keep in force insurance coverage which shall be maintained in full force and effect during the term of the contract. The Contractor shall furnish evidence in the form of a Certificate of Insurance that insurance shall be provided, and a copy shall be forwarded to COMMERCE within fifteen (15) days of the contract effective date. Standard insurance requirements are included within the sample contract and its special terms and conditions attached as Exhibit D.

3. PROPOSAL CONTENTS

ELECTRONIC PROPOSALS:

Proposals must be written in English and submitted electronically to the RFP Coordinator in the order noted below:

1. Letter of Submittal, including signed Certifications and Assurances (Exhibit A to this RFP)
2. Technical Proposal
3. Management Proposal
4. Cost Proposal
5. Diverse Business Inclusion Plan (Exhibit B to this RFP)
6. Workers' Rights Certification (Exhibit C to this RFP)

Proposals must provide information in the same order as presented in this document with the same headings. This will not only be helpful to the evaluators of the proposal, but should assist the Applicant in preparing a thorough response.

Items marked "mandatory" must be included as part of the proposal for the proposal to be considered responsive, however, these items are not scored. Items marked "scored" are those that are awarded points as part of the evaluation conducted by the evaluation team.

3.1. LETTER OF SUBMITTAL (MANDATORY)

The Letter of Submittal and the attached Certifications and Assurances form (Exhibit A to this RFP) must be signed and dated by a person authorized to legally bind the Applicant to a contractual relationship, e.g., the President or Executive Director if a corporation, the managing partner if a partnership, or the proprietor if a sole proprietorship. Along with introductory remarks, the Letter of Submittal is to include by attachment the following information about the Applicant and any proposed subcontractors:

- A.** Name, address, principal place of business, telephone number, and fax number/email address of legal entity or individual with whom contract would be written.
- B.** Name, address, and telephone number of each principal officer (President, Vice President, Treasurer, Chair of the Board of Directors, etc.)
- C.** Legal status of the Applicant (sole proprietorship, partnership, corporation, etc.) and the year the entity was organized to do business as the entity now substantially exists. Nonprofit organizations must verify their nonprofit status by providing a copy of their Internal Revenue Service (IRS) 501(c)(3) determination letter.
- D.** Federal Employer Tax Identification number or Social Security number and the Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue. If the Applicant does not have a UBI number, the Applicant must state that it will become licensed in Washington within thirty (30) calendar days of being selected as the Apparently Successful Contractor.
- E.** Location of the facility from which the Applicant would operate.
- F.** Identification of the county and community(s) to be served.
- G.** Identification of any state employees or former state employees employed or on the firm's governing board as of the date of the proposal. Include their position and responsibilities within the Applicant's organization. If following a review of this information, it is determined by COMMERCE that a conflict of interest exists, the Applicant may be disqualified from further consideration for the award of a contract.

3.2. TECHNICAL PROPOSAL (SCORED)

The Technical Proposal must contain a comprehensive description of services including the following elements:

- A. Project Approach/Methodology:** A complete description of the Applicant's proposed approach and methodology for the project. Coordination between any community based organization and law enforcement agencies should be described. This section should convey Applicant's understanding of the proposed project.
- B. Work Plan:** All project requirements and the proposed tasks, services, activities, and other steps necessary to accomplish the scope of the project defined in this RFP. This section of the technical proposal must contain sufficient detail to convey to members of the evaluation team the Applicant's knowledge of the subjects and skills necessary to successfully complete the project.
- C. Project Schedule:** A project schedule indicating when the elements of the work will be completed. Project schedule must ensure that any deliverables requested are met.
- D. Outcomes and Performance Measurement:** A description of the impacts and outcomes the Applicant proposes to achieve as a result of the delivery of these services including how these outcomes will be monitored, measured and reported to COMMERCE, and the percentage of the serviced community and county population to be served. The legislative authorization for this funding requires recipients report to COMMERCE on the effectiveness of the programs supported on reducing crime rates, increasing community engagement, and increasing perceptions of law enforcement. For each of these outcome measures, the Proposal should describe what types of data will be collected, how the data will be collected and stored, and how the data will be provided to COMMERCE. Importantly, to measure change over time, the measures identified by the Applicant should be collected at the beginning and at the end of the contract period. Examples of measures for reducing crime rates are: number of crimes reported to police, number of arrests, etc. Examples of data for measuring increased community engagement are: monthly or annual rate of community events, number of community organizations engaged, number and demographics of individuals engaged, etc. Measuring perceptions of law enforcement could be based on: pre- and post- surveys of the community, levels of cooperation with the police, etc.
- E. Risks:** Identification of potential risks that are considered significant to the success of the project. Include how the Applicant would propose to effectively monitor and manage these risks, including reporting of risks to the COMMERCE contract manager.
- F. Deliverables:** A full description of deliverables to be submitted under the proposed contract. Deliverables must support the requirements set forth in Section 1.2, Objectives and Scope of Work and the outcomes described above.

3.3. MANAGEMENT PROPOSAL

A. Project Management (SCORED)

- 1. Project Team Structure and Internal Controls:** Provide a description of the proposed project team structure and internal controls to be used during the course of the project, including any subcontractors and participating agencies not subcontracted. Provide an organizational chart of your firm indicating lines of authority for personnel involved in performance of this potential contract and relationships of this staff to other programs or functions of the firm. This chart must also show lines of authority to the next senior level of

management. Include who within the firm will have prime responsibility and final authority for the work.

2. **Staff Qualifications and Experience:** Identify staff, including subcontractors, who will be assigned to the potential contract, indicating the responsibilities and qualifications of such personnel, and include the amount of time each will be assigned to the project. Provide resumes for the named staff, which include information on the individual's particular skills related to this project, education, experience, significant accomplishments and any other pertinent information. The Applicant must commit that staff identified in its proposal will actually perform the assigned work. Any staff substitution must have the prior approval of COMMERCE.

B. Experience of the Applicant and Participating Agencies not Contracted (SCORED)

1. Include a detailed description of the means by which the organization or agency meets the minimum qualifications set forth in Section 1.3.
2. Indicate other relevant experience that indicates the qualifications of the Applicant, and any subcontractors, for the performance of the potential contract.
3. Include a list of contracts the Applicant has had during the last five years that relate to the Applicant's ability to perform the services needed under this RFP. List contract reference numbers, contract period of performance, contact persons, telephone numbers, and email addresses.

C. Related Information (MANDATORY)

1. If the Applicant or any subcontractor contracted with the state of Washington during the past 24 months, indicate the name of the agency, the contract number and project description and/or other information available to identify the contract.
2. If the Applicant's staff or subcontractor's staff was an employee of the state of Washington during the past 24 months, or is currently a Washington State employee, identify the individual by name, the agency previously or currently employed by, job title or position held and separation date.
3. If the Applicant has had a contract terminated for default in the last five years, describe such incident. Termination for default is defined as notice to stop performance due to the Applicant's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the Proposer, or (b) litigated and such litigation determined that the Proposer was in default.
4. Submit full details of the terms for default including the other party's name, address, and phone number. Present the Applicant's position on the matter. COMMERCE will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience. If no such termination for default has been experienced by the Applicant in the past five years, so indicate.

D. References (MANDATORY)

List names, addresses, telephone numbers, and email addresses of three (3) business references for the Applicant and three (3) business references for the lead staff person for whom work has been accomplished and briefly describe the type of service provided. Do not include current COMMERCE staff as references. By submitting a proposal in response to this Work Request, the Applicant and team members grant permission to COMMERCE to contact these references and others, who from COMMERCE'S perspective, may have pertinent information. COMMERCE may or may not, at COMMERCE'S discretion, contact references. COMMERCE may evaluate references at COMMERCE'S discretion.

E. OMWBE Certification (OPTIONAL AND NOT SCORED)

Include proof of certification issued by the Washington State Office of Minority and Women's Business Enterprises (OMWBE) if certified minority-, women-, or veteran-owned firm(s) will be participating on this project. For more information please visit: <http://www.omwbe.wa.gov>.

3.4. COST PROPOSAL

The maximum fee for this contract must not be below or above the amounts specified in Section 1.4 to be considered responsive to this RFP.

The evaluation process is designed to award this procurement not necessarily to the Applicant of least cost, but rather to the Applicants whose proposals best meets the requirements of this RFP. However, Applicants are encouraged to submit proposals which are consistent with state government efforts to conserve state resources.

A. Identification of Costs (SCORED)

Identify all costs in U.S. dollars including expenses to be charged for performing the services necessary to accomplish the objectives of the contract. The Applicant is to submit a fully detailed budget including staff costs and any expenses necessary to accomplish the tasks and to produce the deliverables under the contract. Applicants are required to collect and pay Washington state sales and use taxes, as applicable.

Costs for subcontractors are to be broken out separately. Please note if any subcontractors are certified by the Office of Minority and Women's Business Enterprises.

4. EVALUATION AND CONTRACT AWARD

4.1. EVALUATION PROCEDURE

Responsive proposals will be evaluated strictly in accordance with the requirements stated in this RFP and any addenda issued. Commerce will designate an evaluation team or teams to review, evaluate, and score proposals. In formulating a rating, reviewers will consider:

- The strength of the rationale linking the proposed activities to the objectives in Section 1.2.
- The soundness of the proposed service delivery strategy and accompanying budget.
- The extent to which the proposal impacts and reflects cooperation with multiple organizations, agencies and communities.
- The population characteristics of the service area and population to be served.
- The Applicant's capacity to deliver the proposed services.
- Whether proposed activities duplicate current services.

As part of its decisions Commerce will also consider geography and urban/rural distribution across the state.

Commerce reserves the right to reject applications that fail to meet the requirements set forth in this RFP. All proposals will be reviewed to determine if the Applicants meet the criteria to apply. Proposals that fail to comply will be considered non-responsive and withdrawn from consideration.

COMMERCE reserves the right to award the contracts to the Applicants whose proposals are deemed to be in the best interest of COMMERCE and the state of Washington.

The RFP Coordinator may contact an Applicant for clarification of any portion of the Applicant's proposal.

4.2. EVALUATION BREAKDOWN

The following weighting will be assigned to the proposal for evaluation purposes:

Technical Proposal – 70%

Project Approach/Methodology
Work Plan
Project Schedule
Outcome and Performance Measurement
Risks
Deliverables

Management Proposal – 25%

Project Team Structure
Internal Controls
Staff Qualifications and Experience

Cost Proposal – 5%

Identification of costs and full detailed budget

Workers' Rights Certification – Those firms which certify they **do not** require their employees to sign an individual arbitration clause as a condition of employment will receive an extra 5% added to their score (see Exhibit C).

4.3. ORAL PRESENTATIONS MAY BE REQUIRED

After evaluating the written proposals COMMERCE may elect to schedule oral presentations of the finalists. Should oral presentations become necessary, COMMERCE will contact the top-scoring firm(s)

from the written evaluation to schedule a date, time, and location. Commitments made by the Applicant at the oral interview, if any, will be considered binding.

The scores from the written evaluation and the oral presentation combined together will determine the apparent successful contractor.

4.4. NOTIFICATION TO PROPOSERS

COMMERCE will notify the Apparently Successful Bidder of their selection in writing upon completion of the evaluation process. Individuals or firms whose proposals were not selected for further negotiation or award will be notified separately by email.

4.5. DEBRIEFING OF UNSUCCESSFUL PROPOSERS

Any Applicant who has submitted a proposal and been notified that they were not selected for contract award may request a debriefing. The request for a debriefing conference must be received by the RFP Coordinator within three (3) business days after the Unsuccessful Applicant Notification is emailed or faxed to the Applicant. Debriefing requests must be received by the RFP Coordinator no later than 5:00 p.m. PST, on the third business day following the transmittal of the Unsuccessful Applicant Notification. The debriefing must be scheduled within three (3) business days of the request.

Discussion at the debriefing conference will be limited to the following:

- Evaluation and scoring of the firm's proposal;
- Critique of the proposal based on the evaluation;
- Review of proposer's final score in comparison with other final scores *without* identifying the other firms or reviewing their proposals.

Comparisons between proposals or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one hour.

4.6. PROTEST PROCEDURE

Protests may be made only by Applicants who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completing the debriefing conference, the Applicant is allowed five (5) business days to file a protest of the acquisition with the RFP Coordinator. Protests must be received by the RFP Coordinator no later than 5:00 p.m. PST on the fifth business day following the debriefing. Protests may be submitted by email or facsimile, but must then be followed by the document with an original signature.

Applicants protesting this procurement shall follow the procedures described below. Protests that do not follow these procedures shall not be considered. This protest procedure constitutes the sole administrative remedy available to Applicants under this procurement.

All protests must be in writing, addressed to the RFP Coordinator, and signed by the protesting party or an authorized Agent. The protest must state the RFP number, the grounds for the protest with specific facts and complete statements of the action(s) being protested. A description of the relief or corrective action being requested should also be included.

Only protests stipulating an issue of fact concerning the following subjects shall be considered:

- A matter of bias, discrimination, or conflict of interest on the part of an evaluator;
- Errors in computing the score;
- Non-compliance with procedures described in the procurement document or COMMERCE policy.

Protests not based on procedural matters will not be considered. Protests will be rejected as without merit if they address issues such as: 1) an evaluator's professional judgment on the quality of a proposal, or 2) COMMERCE'S assessment of its own and/or other agencies needs or requirements.

Upon receipt of a protest, a protest review will be held by COMMERCE. The COMMERCE Director or an employee delegated by the Director who was not involved in the contracting process for this RFP will consider the record and all available facts and issue a decision within ten (10) business days of receipt of the protest. If additional time is required, the protesting party will be notified of the delay.

In the event a protest may affect the interest of another Applicant that also submitted a Proposal, such Applicant will be given an opportunity to submit its views and any relevant information on the protest to the RFP Coordinator.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold COMMERCE'S action; or
- Find only technical or harmless errors in COMMERCE'S acquisition process and determine COMMERCE to be in substantial compliance and reject the protest; or
- Find merit in the protest and provide COMMERCE options which may include:
 - o Correct the errors and re-evaluate all proposals, and/or
 - o Reissue the solicitation document and begin a new process, or
 - o Make other findings and determine other courses of action as appropriate.

If COMMERCE determines that the protest is without merit, COMMERCE will enter into a contract with the Apparently Successful Contractors. If the protest is determined to have merit, one of the alternatives noted in the preceding paragraph will be taken.

5. RFP EXHIBITS

- Exhibit A Certifications and Assurances
- Exhibit B Diverse Business Inclusion Plan
- Exhibit C Workers' Rights Certification
- Exhibit D Service Contract Format with General Terms and Conditions

CERTIFICATIONS AND ASSURANCES

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract:

1. I/we declare that all answers and statements made in the proposal are true and correct.
2. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
3. The attached proposal is a firm offer for a period of 60 days following receipt, and it may be accepted by COMMERCE without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee of the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. If there are exceptions to these assurances, I/we have described them in full detail on a separate page attached to this document.
5. I/we understand that COMMERCE will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of COMMERCE, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
6. Unless otherwise required by law, the prices and/or cost data which have been submitted have not been knowingly disclosed by the Proposer and will not be knowingly disclosed by him/her prior to opening, directly or indirectly, to any other Proposer or to any competitor.
7. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached sample contract and general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
8. No attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
9. I/we grant COMMERCE the right to contact references and others who may have pertinent information regarding the ability of the Applicant and the lead staff person to perform the services contemplated by this RFP.
10. If any staff member(s) who will perform work on this contract has retired from the State of Washington under the provisions of the 2008 Early Retirement Factors legislation, his/her name(s) is noted on a separately attached page.

We (check one):

- ☐ **are** submitting proposed Contract exceptions. (See Section 2.12, Contract and General Terms and Conditions.) If Contract exceptions are being submitted, I/we have attached them to this form.
- ☐ **are not** submitting proposed Contract exceptions (*default if neither are checked*).

On behalf of the Applicant submitting this proposal, my signature below attests to the accuracy of the above statement as well as my authority to bind the submitting organization.

 Signature of Proposer

 Date

 Printed Name

 Title

DIVERSE BUSINESS INCLUSION PLAN

Do you anticipate using, or is your firm, a State Certified Minority Business?	Y/N
Do you anticipate using, or is your firm, a State Certified Women's Business?	Y/N
Do you anticipate using, or is your firm, a State Certified Veteran Business?	Y/N
Do you anticipate using, or is your firm, a Washington State Small Business?	Y/N

If you answered No to all of the questions above, please explain:

Please list the approximate percentage of work to be accomplished by each group:

Minority	___%
Women	___%
Veteran	___%
Small Business	___%

Please identify the person in your organization who will manage your Diverse Inclusion Plan responsibility:

Name: _____

Phone: _____

Email: _____

**CONTRACTOR CERTIFICATION
EXECUTIVE ORDER 18-03 – WORKERS' RIGHTS
WASHINGTON STATE GOODS & SERVICES CONTRACTS**

Pursuant to the Washington State Governor's Executive Order 18-03 (dated June 12, 2018), the Washington State Department of Commerce is seeking to contract with qualified entities and business owners who certify that their employees are not, as a condition of employment, subject to mandatory individual arbitration clauses and class or collective action waivers.

Solicitation No.: S22-31456

I hereby certify, on behalf of the firm identified below, as follows (check one):

- ☐ NO MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES. This firm does NOT require its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

- ☐ MANDATORY INDIVIDUAL ARBITRATION CLAUSES AND CLASS OR COLLECTIVE ACTION WAIVERS FOR EMPLOYEES. This firm requires its employees, as a condition of employment, to sign or agree to mandatory individual arbitration clauses or class or collective action waivers.

OR

- ☐ This firm certifies it has no employees.

I hereby certify, under penalty of perjury under the laws of the State of Washington, that the certifications herein are true and correct and that I am authorized to make these certifications on behalf of the firm listed herein.

FIRM NAME: _____
Name of Contractor/Bidder – Print full legal entity name of firm

By: _____
Signature of authorized person Printed Name

Title: _____ Place: _____
Title of person signing certificate Print city and state where signed

Date: _____

Return Contractor Certification to RFP Coordinator as part of your complete response.

CONTRACT TEMPLATE

Shown Only so applicants will be familiar with the terms of their contract
should they be selected

Select the appropriate link

Unit of Local Government or Tribal Organization:

<https://deptofcommerce.box.com/s/z9xyjy25vggd6s07e39jq5zyamb0sslw>

Non-Profit and For Profit Organizations:

<https://deptofcommerce.box.com/s/dl4rzxfg57lfqm18npbh3z8notabdv3>